

FILED

AUG 23 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

1 **John Gimbel**
2 **225 Brevus St.**
3 **Crescent City CA**
4 **95531**
5 **707.464.5908**
6 **Plaintiff, in pro se**

7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**

9 **JOHN GIMBEL**
10 **Plaintiff,**

11 vs.

12 **STATE OF CALIFORNIA, DEL NORTE**
13 **COUNTY SHERIFF'S DEPARTMENT,**
14 **JERRY HARWOOD, BILL STEVEN, GENE**
15 **McMANUS, MELANIE BARRY, DANA RENO,**
16 **ROBERT BARBER, ED FLESHMAN,**
17 **CRESCENT CITY**
18 **POLICE DEPARTMENT,**
19 **DOUGLASS PLACK, GREG JOHNSON, JAMES**
20 **HOLT, CALEB CHADWICK, THOMAS**
21 **BURKE, DEL NORTE DISTRICT ATTORNEY,**
22 **KEITH MORRIS, AC FIELD, MICHAEL RIESE,**
23 **DARREN McELFRESH, AND FRITZ**
24 **LUDERMAN**

25 **Defendants**

CASE NO. : C070113 SBA
PLAINTIFF'S COMBINED
OPPOSITIONS TO COUNTY
DEFENDANTS' AMENDED MOTION
TO DISMISS AND TO CITY
DEFENDANTS' MOTION TO
DISMISS: AMENDED COMPLAINT

Sept. 25, 2007
1 PM
Courtroom 3, 3rd floor

26 **CITES**

27 *Planned Parenthood of Columbia/Willamette, Inc. v. American Coalition of Life Activists* (9th
28 Cir.2002).....pg. 6, line 2
29 *Watts v. U.S. S. Ct.* (1969).....pg. 16, line 24

30 **LAW AND ISSUE TO DECIDE CONCOMMITANT TO MOTION**

31 pg. 5, line 12
32 pg. 6, line 6

33 ***A small aside of explanation to the court:***

34 ***Firstly, let me say directly to this court that I am more of a nigger than "anyone like Mr.***
35 ***judge Jenkins," S.F. court, or that he will ever know or ever have heard of, reaching well***
36 ***into antiquity, including being more of one than many of his slave ancestors (see exhibits***
37 ***1, 1-a in amended complaint; also, amended complaint).***

1
2 I'm not at all a racist; it was an "atten-hut" wake up call to the court that the judge is,
3 rather than the "epithets," a closet case on First Amendment. I'm absolutely certain
4 judge Jenkins would be a closet case on First Amendment, or this case would his first or
5 one of very few. It is obvious because a true, trained respecter of the First Amendment
6 would have looked immediately at the subject speech as his first priority in the motions at
7 hand, the true safeguard, asking whether it was protected in the opinion of his court; thus,
8 determining whether there--in an immediate sense--existed one of those nasty First
9 Amendment Violations. He did absolutely nothing of the sort--not even close--this judge
10 appears to be a real closet case in the area. Any reasonable person can see this.

11 So, you may please ease and console his Honor, Mr. Jenkins well, that John Gimbel is
12 no racist; in fact, Gimbel's top 10 idols since earliest recollection, of all time, happen to
13 include one Cassius Clay, that figure from "an earlier generation." Claimant has also
14 been aware, since the outset of this case around Jan. 2007, per Mr. Vrieze, that Mr.
15 Jenkins was once with the Seattle Seahawks--a fact for which Gimbel owns nothing but
16 admiration and respect, inclusive to that he is simply no racist to begin with. In fact, I am
17 mailing the first 2 pages of this brief you read personally to Mr. Jenkins with a large
18 handwritten memo on top: "Please give this to Mr. Jenkins to ease any concerns he may
19 feel."

20 Gimbel will not be, however, negligently or otherwise, fouled or crossed on this First
21 Amendment case. You bite Gimbel, or foul something that doesn't compute--he barks
22 until you're straight.

23 So, on with the combined answer to Vrieze's county defendants' motion to dismiss
24 amended complaint and Harr's city defendants' motion to dismiss amended complaint:

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Mr. Vrieze for Del Norte county defendants "seems to have overlooked" the unequivocal language of \$5 parking tickets that don't exist (Vrieze's amended motion, pg. 8, line 3, using "nothing equivocal"). Ostensibly, you have \$5 parking tickets that don't even exist. This is the stuff of sticking guns in the face of virtual, online palaverists, chatters and totally homemade "entertainers"?! CURE THESE ASSHOLES, MY COURT!

Defendants deliberately hooked and slew plaintiff's life now for near 4 years for dealing in expression-in-the virtual--ostensibly this--online.

1 This court needs to send pretty much the final message to all in
2 positions of "authority" who engage in such, and front that watchword,
3 via this case (and precedent) to the future.

4 The message will include that citizens have nowhere to stand
5 when you come for "The Last Amendment" they frankly own. To explain
it....

6 Get outa here...law enforcement is notorious for grabbing the guns,
7 knives, baseball bats, your car, lab equipment you may own, your house,
8 your money, your bank account, even your family members may be
9 relocated from you--all you own. All a citizen typically has left in this
10 place when he's given pretty much all, is...words. They better, frankly,
11 own the highest respect for "The Last Amendment" and last place
12 citizens may stand: In the temple of mere words. Especially after citizens
13 have allowed themselves meekly to be taken and raped for year over year
14 of their souls and lives as I have been. Wake up court! *Meekly* is part of
15 the key here. I wouldn't be here had I been the puffy cowboy shootin' it
16 out with them, or combative in any way, over what was determined
17 protected speech. I trusted these assholes, if not this government, meekly
18 submitted to their error, and they raped and pillaged my soul,
19 heart and life beyond repair. Defendants have spit on that amendment
20 from the beginning in this case. They, even now, are recalcitrant to the
white-knuckle-last grip by Stalin upon this hooking of the virtual mouth-
online. What was that "unequivocal language" again, Vrieze, about \$5
parking tickets that don't exist. What're you "forgetting"?

21 When a person has meekly given himself over for protected
22 speech, meekly allowed himself to be illegally arrested, as claimant so
23 meekly and professionally did, he expects professional and accurately
sorted indictments.

24 And now the claimant can't function at all; because these
25 defendant hoodlums have riled and reviled him far too greatly. You note
26 that claimant refuses return of anything they stole from him for protected
27 speech without the recompense (original complaint, paragraphs 101, 102).
28 It's simply, simply, simply because--and should be this way--the acquittal
as finally offered, they offer it, is so hollow it stinks eternally in the
American scheme. It basically says, "1. Cops typically will arrest you for

1 nothing; 2. you will then be ripped out for years and years of your former
2 life; 3. you will then be set to unfathomable reviling enslavements to
3 writing to ears deaf in the first place about First Amendment. Precisely
4 what claimant has suffered, beyond his control, for protected speech."

5 You, this court, must throw those bastards "a little monkey
6 wrench" in their system, (1-3, above); I mean, the biggest damn
7 stumbling boulder you can find in the biblical perspective, and you slam
8 that Red Sea shut, forthwith, on their fucking heads, then we'll see about
9 "their little typical system" in any next time, maybe anytime, on into the
10 future. Claimant avers this court must secure the future of the citizens of
11 this country and this claimant from such as these unfathomable
12 lawbreakers, violators, and put the fattest little amendment-security
13 system imaginable that secures that 1-3, previous paragraph, will simply
14 not happen again.

15 Acquittal was zilch, nothing to this claimant, therefore. We want
16 to make sure nothing of this magnitude or sort EVER happens again.
17 Punishment and/or recompense are the ONLY 2 alternatives when
18 it comes to the precious, Last Amendment-where to stand. It's going to
19 happen one way or the other as far as this claimant is concerned. ((The
20 unanimous opinion--shown in exhibit A in Decl. of John Gimbel filed
21 July 12, 2007 w/ amended complaint--by the way, is an utter
22 cringe of embarrassing shortfall, discussing threat some, but nothing of
23 hyperbole, literary devices, virtual, online culture...the English stuff. It
24 missed the mark totally at the utter huge magnitudes and extents
25 defendants in this case did err. And they should be vituperatively put
26 down about this shortfall and "omission"--I mean, further stupidity--their
27 obvious deliberate avoidance of the literary area because they are stupid.
28 It serves to prove exactly again the defendants, *court and system*, have no
footing or understanding in First Amendment or speech--only trouble is
they raped a man for near 4 years straight at gunpoint and sanctions for
protected speech. These damn bastards damn well better be forced to
recompense (or recompense made by whoever is recognized does that for
them.))

Also, for one, until ALL invocations of "immunity" are barred from use by any sovereign or government, this claimant has upfront immunity for any of his acts he shall ever be confronted for--and it will be enforced. However, if *a credible win* to claimant in this claim goes forth on other facts and issues, claimant agrees to put it on hold until good time is allowed this component to be worked through legislatures and precedent. Claimant believes a large scale change is coming on so called rights to invoke immunity, but it is still far too early--agreed. On hold if credible win to claimant. Similarly, I will remain on hold on this until I see the win, however it shall come. The process so far has many steps; and possibly many more ahead.

Claimant says the court needs to decide issues:

1. The bonepile of past cases where sovereigns, counties, cities, D.A.'s, states, police, sheriff's as defendants have invoked immunity, must now be dragged before this court. The historical view and data must be juxtaposed before the instant, sniveling-further case now of Vrieze, et al, plying with "immunity," and the court must ask "Why one more?--isn't this insane ultimately?--gone far enough?" and start the pull of the plug. Immunity does not argue the facts of indictment, and is simply illegal before constitutionally equal-declared men. (See exhibit A attached to this: "subpoena on immunity"). I don't give a fuck how long Genghis Khan reveled in his "gilded immunity"; the United States of Khan and its state, county and city governments are in my constitutional reciting court now. And they're going to start wising up. The pile of bones they've made across time, crossing citizens this way just reeks of a racket, racketeering and some puked mutant of syndicalism by governments at the many levels. The issue to the court is to view such history, begin concluding enough is enough, and that they should start drawing solid lines about it somewhere here against such history of an exact racket by governments. It is significantly time for a change, given governments' usurpations and loud violations of those meek little submitters they think they can then piss on for eternity.

Please note plaintiff could have gone forth with this hypothetical

1 subpoena to be available at this motion hearing. Minimally, the concepts
 2 needed to be presented to view to the court, which I now do, putting an
 3 actual subpoena on hold pending the pleasure of the court over this issue.
 4 Depending on the court's interest and concord with the concept, it may
 5 choose to ask the plaintiff to proceed with the subpoena, which will be
 done asap, or compel it outright from the bench.

6 2. An issue to decide also, and make clear(er) precedent, is
 7 tantamount to a new age First Amendment-Ramey consideration. It goes
 8 that, per *United States v. Bell* (9th Cir.2002) 303 F.3d 1187, 1192, citing
 9 *Planned Parenthood of Columbia/Willamette, Inc. v. American Coalition*
 10 *of Life Activists* (9th Cir.2002) 290 F.3d 1058, 1071 (*Planned*
Parenthood, which says:

11 "Context is everything in threat jurisprudence."

12 and *Planned Parenthood*, at p. 1078:

13 "Indeed, context is critical in a true threats case...."

14 ...this establishes clear, prime case law; and, being such, when
 15 they have ignored it, as in the instant case by deliberately hiding parts of
 16 the posting which comprise factual context, it needs to be placed in the
 17 same type of spotlight that Ramey went forth on. This First Amendment
 18 issue to decide, and subsequent issuance of case law will seek to make
 19 clear, as Ramey, to all, THAT, when taking out warrants for any pure
 20 speech, ALL the speech must be indicated to the judge--i.e., nothing out
 21 of context, as in where our defendants left out an emoticon.
 22 Obviously they did that, but this court must decide, in this issue to be
 23 decided, that "...context is everything..." means, very specifically, and
 24 with nearly the same ramifications to First Amendment that the Ramey
 25 case had to with search and seize factors, that you simply do not leave out
 26 portions of pure speech or expression or art in bringing affidavits for
warrant to the bench.

27 To have done so, and in this claimant's case, is a clear back-pedal
 28 to First Amendment safeguards which has bombed pure speech back to
 the pre-Ramey caves. Thus, where context is now established as

1 "everything," "critical," it means *you simply don't take out context*, you
2 don't remove or hide part of some speech or posting or art or expression
3 your are attempting to charge with, *you don't take anything out of context*.

4 It's "a kind of Ramey thing" all over again on this point,
5 gentlemen, pertaining to the First Amendment. I think any reasonable
6 person would know this. They are in direct violation of what any
7 reasonable person would know, and case law as well.

8 Put the foot down, court. Give 'em hell, Harry.

9 Over here, court, please: See exhibit B, attached to this. It's a very
10 minor part of another complaint by this claimant in another strictly pure
11 speech case against pretty much the same defendants, which you may
12 shortly have filed here also in federal court. They have become the
13 absolute-by-now infinite asshole-and-felony harassment of this claimant
14 by inviting another case against themselves for illegal sanctions for
15 exactly pure speech again. From that exhibit, it's definitive, and I argue
16 and appeal to your reason in this unique, where not totally precedential,
17 case you now examine:

18 As you read it, EVEN IF, the "beguilement" by new invention
19 establishes defendants' virgin, out-of-their-control IGNORANCE about
20 online stuff at the time, net, PC's, net culture, etc., you must recompense
21 the suffering caused. These will, (defendants), in the final analysis, have
22 been nothing more than armed 2 years olds let loose to rape and pillage
23 Gimbel. In that instance, they have all been children, true, and
24 likely forgiven as such, but now the state (or court, or officialdom) takes
25 the pillaged, ruptured and violated victim to the disability or recompense
26 offices for lump sums and pensions. There's nothing else you can do,
27 rest assured. The case has been focused; the "judge" (reference to
28 claimant) has been shown nothing to avert it. Claimant has looked at
nothing but the law of First Amendment, 24/7 for near 4 years now, and
this study concludes as I have written here, as in stone. If the court does
not choose to find the law as I have stated it here upon the defendants--
perhaps yet beguilements due to the new computer age--I will find it for
them, somewhere. This case shall never be closed, except
as closed this way, rest assured.

1 And see also exhibit B-1, and be completely shocked: this
 2 goddamn county, by this "icon of wit" appearing on the back of the 1999
 3 Del Norte country telephone directory physically and literally "reveled in
 4 the chaos and ignorance" being caused by the burgeoning computer age.
 5 Couple that with Vrieze's yet-stupid, mouse hover, "sinister" smiley-thing
 6 I work up herein, and you know at once none were competent, and still
 7 not even now, per computers OR First Amendment considerations, to
 8 have meddled to destroy claimant's life. Sure, I laughed when I saw that
 9 1999 thing, and the whole ruckus was witty until they came sticking guns
 10 in one's face in the name of their own chaos and ignorance, raping and
 11 pillaging one's years. B-1 is just a minor, but helpfully-focusing little
 12 frame that underscores the lies and times that succinctly shows the
 13 defendants in this case exactly as criminals.

14 And look: Even near 4 years after the defendants' tort THE
 15 DEFENDANTS, AS EXHIBITED BY VRIEZE, STILL DON'T KNOW
 16 THE PC STUFF, THE ONLINE, THE NET, THE CULTURE,
 17 THE FORUMS, YOU NAME IT. TO WIT: Vrieze, committing the error
 18 the first time in his trailing brief on his original motion to dismiss,
 19 (Vrieze's original reply to plaintiff's original opposition to original motion
 20 to dismiss, pg. 4, line 9, 10; "sinister"), even after plaintiff later pointing
 21 out loudly and clearly, (plaintiffs amended complaint, pg. 4, line 14),
 22 YET AGAIN, subsequently, in Vrieze's reply to amended, (Vrieze's
 23 amended motion to dismiss, pg. 7, lines 9, 10), STILL DOES NOT
 24 HAVE THE SAVVY, WHEREWITHAL OR KNOWHOW TO HAVE
 25 GONE OVER TO THE SITE WHERE THE SUBJECT SPEECH WAS
 26 POSTED AND HOVER HIS MOUSE OVER THE PARTICULAR
 27 EMOTICON USED, AND NOTE ITS SPECIFIC DEFINITION--THE
 28 ONE THIS CLAIMANT EXACTLY USED--AS NOTHING TO DO
WITH SINISTER. I SPOKE WITHIN THE ESTABLISHED FRAME
OF DEFINITIONS THERE ESTABLISHED, WITH THE
COMMUNICATION OF "COOOL," OBVIOUS CAPSTONE TO
HYPERBOLE, NOT SINISTER. I REPEAT; PLEASE AWAKE:
SINISTER IS NOT THE ESTABLISHED COMMUNICATION THAT
ANYONE USING THAT EMOTICON IS CONVEYING, and at the

1 very site where it was used. Vrieze is a PURE fabrication based on
 2 defendants' ongoing, insufferable net, net culture, PC stupidity. They are
 3 indecently stupid, and should be kicked out of here for zero credibility to
 4 be dealing in the area, or trying to persuade others "what they know"--
 5 when they--proved--know exactly less than nothing.

6 Vrieze, you have got to be the computer culture-stupidest man
 7 alive, exactly like your defendants, that when I PICK AN EMOTICON,
 8 AND IT'S DEFINED ON-THE-SPOT, AT THE SITE, AS "COOOOL,"
 9 NOBODY ON GOD'S GREEN EARTH IS, THEREFORE,
 10 CONVEYING "SINISTER." Your utter stupidity, and repetitive now,
 11 should be cut short by this court, and recompense go forth. Damn you!
 12 How dare you be this stupid with my life and time. Don't all judges say
 13 "Ignorance is no excuse"?--or "Ignorance of the law is no excuse?--and
 14 keep you indicted? Is not your ignorance, and your defendants' ignorance
 15 airtight?

16 Court, the defendants are, therefore, visibly UNBEARABLY, and
 17 definitively unreliably stupid about computer stuff, and should
 18 be barred from all "credibilities," "competencies," and "authorities" in
 19 discussing this case which took place solely online--maybe
 20 precedential case, therefore. ISN'T IS EXACTLY OBVIOUS BY THIS?
 21 You better believe it.

22 PLEASE AWAKE TO IT!

23 Now, what about the "unequivocal language" in the subject post of
 24 "piggy wiggly"? Vrieze, did you "happen to omit another one on
 25 unequivocal language" swimming through that "terribly voluminous" 134
 26 words and emoticon that comprises the subject speech? You don't get
 27 much more "accident prone"...or slyer before this court, do you?
 28 I hope the court is outraged taking note of your insufferable scum and
 ploy of garbage against literary devices. I thank God your stupidity or
 slyness is so loud it can't rub off on the judge. Judge, are you there?

Use of "piggy-wiggly," here we go:

Analyzing the post for political hyperbole, we find further reasons
 that the fact of its presence will reach out immediately and literally
 GRAB the attention of all readers. (Pigs/cops on a vendetta, lying, merely

1 to be mean, are another story. That would be illegal for them, and a lie to
2 someone about the 1st amendment. This they have exactly done.)

3 The subject starts: "Just got a \$5 parking ticket. Need to deputize
4 C. City, fix up piggo."

5 In the subject, there is no call to any action. Saying "need to
6 deputize" does not say in any way (yet) that you are.

7 In the very 1st line of the message body, ALL INTENT TO
8 CREATE POLITICAL HYPERBOLE IS ANNOUNCED by the use of
9 "piggy-wiggly."

10 Because, now, there happens to be ONLY ONE WAY any reader
11 can take use of the word "piggy-wiggly." And that is to associate it with
12 the nursery rhymes stuff to which all contemporary definitions of it point
13 (all readers of the post apparently did this except the tantrum-throwing
14 SWATjacker goons). Why? How? Because we have gone to many,
15 MANY online SLANG dictionaries, (some university sponsored),
16 and also standard dictionaries, links shown below, where we searched for
17 either "piggy wiggly," or "piggy-wiggly" with the hyphen that might
18 contain the phrase in reference to cops or at all. THERE WERE
19 PRECISELY NONE, ABSOLUTELY NONE IN REFERENCE TO
20 COPS. NO READER, THUSLY, ON EARTH, READING GIMBEL'S
21 POST, CAN SAY HE KNOWS WHAT THAT WORD "PIGGY-
22 WIGGLY" MEANS IN REGARD TO COPS BECAUSE IT
23 SIMPLY HASN'T BEEN INVENTED YET! THERE IS ZERO
24 COMMON, OR ANY, USAGE OF THE TERM PERTAINING TO
25 COPS IN THE HUMAN LORE AND THE ENTIRE ENGLISH
26 LANGUAGE. Gimbel gives no definitions of "some new word"
27 nor instructs people there exists some meaning apart from the recognized
28 usage. THUS, THE ONLY WAY ANY READER CAN ASSOCIATE
THE WORD "PIGGY-WIGGLY," IS TO ASSOCIATE IT WITH
NURSERY RHYMES, THE ONLY KNOWN PLACE WHERE THE
WORD EXISTS ON EARTH IN THE ENGLISH LANGUAGE.
This is clear art form in creating (political) hyperbole.

What the nursery rhyme ASSOCIATING, does, a deliberate, in-
flight, authoring-artistic ploy, is make scintillatingly clear the effort to
political hyperbole. We're talking less-than 1 year olds, 1 year and 2 year

1 old infants who can't even talk that are associated to "piggy-wiggly"--
2 infants that have these Mother Goose and Piggy Wigglys on their quilts
3 and pillows. Also, very young children. Gimbel's use of this word is to
4 clearly direct the reader to his obvious scorn for cops, especially their
5 perceived lack of intelligence on far too many issues--scorn for many of
6 their acts and their intelligence which produce same--most cops, in fact,
7 he holds personally to be tantamount to mentally ill for the remembered
8 exhibits of their acts. The intelligence of infants is nil by civilization's
9 standards, right? --THIS IS THE INTENDED, AUTHORED
10 HYPERBOLIC COMPARISON. Seen as actually contemptuous of
11 morality, they enter the police force as a personal ploy for ego-gain.
12 "Wise bullies/criminals check in here," as the saying might go. As luck
13 would have, they eventually always do. With authority granted them,
14 Gimbel calmly recognizes the equivalent of anywhere from 2 to 3 thugs
15 therefore present in the *power* of any single officer to do his dirty. Only
16 an extremely, too-rare specimen among cops is fit to "administer others in
17 the regard of some named law." 99% of them truly don't belong doing it.

18 Seeing them as "stupid" as infants, he grabs the reader's attention
19 and associates the cops to it with "piggy-wiggly." Here, HE IS
20 CLEARLY ASSOCIATING THEM TO THE MENTALLY
21 BEREFT FACT OF BEING AN INFANT. "You don't know nothing at
22 age 2 or 3!" we all know is true.

23 Looking for our "injustice," 'reason,' "triggering cause to action,"
24 that the pigs officially lie about, pretending it exists in the post, we see "a
25 piggy-wiggly wrote a zealous \$5 ticket." A kind of "trigger," the ONLY
26 alleged "trigger," saying, "Folks, here's the 'problem' I'm going to
27 'deputize' you about." What about this "trigger"?--call for outrage? First
28 of all, \$5 parking tickets are non-existent--there is no trigger for action--
and Gimbel is just saying they're so stupid, they are the minds of
infants by the exact usage of "piggy wiggly." Is Gimbel not entitled to
his opinion? And he tells you of his opinion 1st thing, making it clear, by
all definitions, these cops have infantile minds. You know how duo
comedians set each other up for wingdinger jokes and statements,

1 right? The exact first few subject and lines of Gimbel's post
 2 unequivocally set up intended hyperbole for all the rest of the post which
 3 ensues. ALL READERS EXCEPT THE PIGS OBVIOUSLY PICKED
 4 UP ON THIS.

5 The post, the very "trigger," the only "trigger," starts with the same
 6 as "A one-year old wrote me a non-existent ticket, folks."

7 It is for the above statement I have been forced to die in the
 8 country, at the hand of that same country of the First Amendment.? Yes.
 9 Let there be light.

10 In fact, then we exactly see the local goons act like infants some
 11 more, throwing a SWATjacker tantrum against the 1st amendment and
 12 Gimbel. They're jealous that Gimbel's art is so superbly caustic
 13 --the very thing often-most protected by the 1st amendment. What is life
 14 without clarity--sometimes incisive-- showing both sides? This question
 15 is continuously recognized and answered in dozens of landmark Supreme
 16 Court decisions showing that certain speech some goons had
 17 attacked in their bitchiness moods was actually protected speech after the
 18 upstart goons got done with their filth in attacking some speaker.

19 Obviously, he knows nobody out there wants to shoot these cops
 20 because that would, PRECISELY, BY DEFINITION INSERTED,
 21 USING THE WORD "PIGGY-WIGGLY," WOULD BE TO SHOOT
 22 BABIES! Gimbel never recommended to shoot babies at all, therefore
 23 neither cops in the case-instance as a fact, is perfectly intrinsic to his
 24 structure of writing, satire, hyperbole, here.

25 I didn't know pigs could be this fugly about a simple nursery
 26 rhyme. Be careful; these insane thug-cops could arrest you for carrying
 27 around Mother Goose books. It's long past time for the court to drop the
 28 hammer back on these murderous, anti-American thugs in uniform.
 13 seasons--at the rate of 3 months EACH SEASON--now gone with the
 wind in claimant's life--all because of these insane defendants.

26 <http://www.ocf.berkeley.edu/~wrader/slang/index.html> none

27 <http://www.insultmonger.com/slang/> none

1 http://littlerock.about.com/cs/southernlife/a/aasouthslang_2.htm none

2
3 <http://www.americansubstandard.com/?sub=p> none

4 <http://www.odps.org/xoops/html/modules/ipboard/> ("odps"=online dict
5 of playground slang
6 3,566 terms) none

7
8 <http://www.pseudodictionary.com/search.php?letter=p> none

9 <http://www.probertencyclopaedia.com/slang.htm> none

10
11 <http://www.csupomona.edu/~jasanders/slang/csrpp.htm> none

12 http://babel.uoregon.edu/slang/pub_search.lasso none

13
14 <http://www.onelook.com/?w=piggywiggly&ls=a> none
15 ("One Look" is a major, major engine for mainstream dictionaries; it
16 searches 10 or more big name, online dictionaries; extremely good for
17 English; my main choice for years.)

18 Piggy-wiggly actually here:

19 <http://www.peterandellen.com/lyrics/piggly.htm>

20 AND <http://store.yahoo.com/thebabybungalow/fosefapl.html>
21 (see exhibit C)

22 On Vieze's pickiness on my format of amended complaint,
23 (Vrieze's amended motion to dismiss amended complaint, pg. 5, line 12
24 only), I would ask some leeway from the court. I sighted in that my
25 amended complaint would involve only *additions* to the
26 original, which seemed to be part or all of what was being called for. For
27 me to have included every allegation in the original complaint, which
28 linked to each exhibit, would have meant to have to create another 6
copies of about 600-plus pages each. I have already spent about \$4,000
getting about 18 copies of 600 each out to defendants in the Notice of

1 Lawsuit and Request for Waiver of Summons," then another 18 for the
 2 summons. If I may ask it to serve the purpose of this court, that I hereby
 3 state, for clarity, that, **"In my amended complaint I hereby**
 4 **incorporate every allegation and exhibit, statement of jurisdiction**
 5 **and venue, as part of the amended complaint, adding to it**
 6 **what you see there captioned and filed as 'Amended Complaint'.** "
 7 I don't think any reasonable person would see this as an unreasonable
 8 approach to communicating the facts believed to be there--everything I'm
 9 trying with all my ability to do. Please be very specific as to what the
 10 court may need, from here forward on something like this, as I'm
 11 somewhat slow to catch on to formats--to me its just *communicate* what
 12 you've studied on the case. I'm not at all trying to impede communication
 13 --I think you can see that by my tedious briefing effort-- if the format may
 14 have been a hair off--and I think the court should see that's what counts to
 15 understanding the case--"what's in the letter, not the lined margins."
 16 Please pardon me if I look a little slow, even dense sometimes on format.
 17 I would describe the amended complaint issue here which Vrieze has
 18 raised, as a format thing. I think, given my statement of incorporation just
 19 now added, it is only a little format thing. I think any reasonable person
 20 would allow same to be true.

21 And what about Vrieze's claim of "lack of cognizable legal
 22 theory"? (Vrieze's amended motion to dismiss amended complaint, pg. 4,
 23 line 10.) How stupid do you get? Are public prosecutors seen sweating
 24 as to whether they've got "a cognizable legal theory" in an indictment?
 25 No, they look at the facts, and say "I think that's a crime." 10 trillion
 26 cases nationwide across centuries, and I'll bet you'll not find a
 27 single one, prosecutor, wondering outloud if he's got a sufficiently
 28 "cognizable legal theory." In my case exactly the same. I.E., you look at
 the subject speech, and say, "I think somebody being arrested
 for that is a crime--or tort against the First Amendment of the United
 States." Shouldn't be too hard. Any reasonable person should see this.

In a nutshell, plaintiff does it just like a prosecutor--looks at what
 he's sure is a crime, and thereby believes he's got cause, theory, the
 works right onboard. We do, Vrieze, watch out; no silver threaded,

1 silver tongued pretense to "technical"-tongue in here, please. Your goons
 2 are being frowned at very severely by this "prosecutor" and court. Any
 3 reasonable person or court should allow this without some phony, much-
 4 ado on "legal theory." A bullet in a corpse or an ostensible violation of
 5 the First Amendment is a violation. That doesn't need "some goddamn
 legal theory" before you recognize it--does it now?

6 The court is asked to look at the subject speech, and decide
 7 whether they feel the speech is protected. If so, that more firmly
 8 establishes the first part of the tort; in fact, it's precluded the
 9 court MUST do this before they can...as the only and very crux upon
 10 which the present motion shall be denied or not. Any reasonable person
 can see this.

11 We ask the court this now to do. Does this court, or not, see a very
 12 visibly protected statement in the subject speech? Let this be the crux,
 13 *supersedeas*, and inclusive to all motion. Thank you. Any reasonable
 14 person can see this the right thing to do.

15 As an added and final portrait to the shocked outrage that should
 16 now be in the court's hands to deal with insufferable curs as defendants,
 17 still reviling claimant straight to death, I draw attention to exhibit 1 in the
 18 declaration filed now simultaneous with this plaintiff's combined
 19 oppositions to Vrieze's county defendants and Harr's city defendants'
 20 motions to dismiss amended complaint. In 2005, I searched for English
 21 and literature specialists to evaluate my posting, the subject speech,
 22 offering the for-hire evaluation request, demanding only their unbiased
 23 evaluation. The e-mails will succinctly show that. I wrote maybe 50 or so
 24 prospective English specialist and literature specialists and the only 2
 25 who ever responded both refused wage, were happy to do an evaluation,
 26 and both immediately saw nothing in the post to be concerned about from
 27 an expressive and literary perspective. Both are published authors; one an
 28 English professor of 5 continents; the other a PhD in English and
 literature. Given writing is largely their career, the net, largely about
 communication, writing, interchange of writings, works, all English
 teachers, and as these evinced, have the early, larger-than-most-or-all,
 exposure and understanding of the net, writing on the net, "net culture,"

1 especially forums, obviously. Their net presence, and kind of resume as
 2 you see, are certain pages ahead of each evaluation they produced.
 3 Generally, completely unlike the defendants, a well traveled consumer
 4 end of the PC was right up their alley; as English specialists, they had,
 5 and do, embrace the PC ahead of the crowd--and I knew this was the
 6 case. It was not hard--they were not PC-ignorant as our defendants--there
 7 was guaranteed far less of it by the nature of their work--and they
 8 immediately saw, as my own lengthy exposure to net-writing did, there
 9 was everything merely typical, if not even blase about my posting, the
 10 subject speech. This is another small frame that underscores the
 11 ostensible in the posting. Yes, you don't get anything more bland about
 12 the posting, and it being protected clearly, than Emile Dodds statement in
 13 the 2nd part of his evaluation, *"as a regular visitor to Internet forums, I*
see nothing in Mr. Gimbel's posting which is more extreme or unusual
than the other messages that I read every day."

14 *"...that I read every day...."*

15 How many years did the defendants rape and pillage Gimbel's life
 16 and soul again for something like that? Armed to do the damage, causing
 17 their victim to submit meekly, over something they didn't know a
 18 goddamn thing about? Defendants will recompense one way or the other;
 19 this I know.

20 In conclusion, the court, based on the obvious, needs to affirm the
 21 process-to-commence, whereby the enforcement community will
 22 ultimately have one helluva strong message to them to exercise
 23 proprietary care beforehand when you think to go to desecrate citizens'
 24 last sanctuary, The Last Amendment left them--and kill their words, too.

25 The First Amendment is the peoples' last place to stand,
 26 amendment and sanctuary. I speak for all, that all may speak
 27 as they please. They take too much; they must, in the final analysis, never
 28 also take this last place to stand. In a certain landmark case you can just
 hear the contempt, by one of our very Supreme Court judges, of dealing
 against police self-aggrandizement: *Watts v. U.S. S. Ct. (1969)*. In that
 case--well, I would bet in billions of words ever used by that court, it's the
 only case where any justice ever repeated words, as if to drumbeat them

1 in, as in the sample in "...old, old, device...." (The complete phrase was:
2 "Police suppression of speech is an old, old device, outlawed by our
3 constitution....")

4 With this rhythmic, slight-drumming repeating..."Old like Satan,
5 the father of lies"... is exactly what this justice meant about what errant
6 cops do. You can just HEAR the contempt he has for cops who have this
7 awesome power to take every damn thing you own, who now want--or
8 ever, my friend--to snuff you for air over your tonsils, gracing your
9 larynx, merely (typewriter chat the same). Cops just don't seem to stop
10 thinking they can kill anything for breathing, talking...about
11 the same to an asshole cop. Every citizen of this United States will thank
12 me someday, including even possibly some of our defendants, this I vow.
13 They will someday realize, should they find their bodacious comment to
14 be allowed to have uttered ("free"), that men as I have fought for it to be
15 so, even in modern times, and laid in stone that right and last sanctuary
16 before a voracious, denying universe, often disguised as the power of
17 nations. And, to this enemy against the United States constitution who
18 apparently breezed into town for the first time a scant few years before
19 Gimbel's ordeal, then uprooted this citizen, claimant of then-16 years in
20 Crescent City, without a care as to what lived there, with a shock and awe
21 of perfectly sustained ripout and pillage across near 1/2 decade now--send
22 to these defendants a strong, strong message, and to all like him, and that
23 defendants be dealt according to law, recompense made, where not
24 recompense AND punishment made, by and of respectively, the
25 defendants.

26 Show me one other single instance in all Supreme Court rulings of
27 anything like "...old, old,"; or a "...very, very,"; or a "...much, much,
28 much,"; or a "...way, way {too}," e.g. You will get \$1000 from me if you
can.

///
25

///
26

1 You could just hear the S. Ct. justice writing the opinion--his utter
2 contempt for pigs who want to fucker and harass the last sanctuary of
3 men to death also.

4 The Last Sanctuary is now reset in stone; and let us remind that
5 fact with a message loud and clear.

6
7 Dated: 22nd August, 2007

By John Gimbel

John Gimbel
in pro se



Exhibit A

A hypothetical subpoena to procure historical activity on immunity:

This subpoena commands to identify all civil or criminal suits of record as far back as available, filed in state or federal court, which have been filed against any, some or all of named defendants of City of Crescent City, Del Norte County, Del Norte sheriff's dept., Crescent City police dept., Del Norte district attorney and Del Norte superior court--AND SEEKS SPECIFICALLY TO IDENTIFY IN WHICH OF THESE ACTIONS THE DEFENDANTS POSITED IN THEIR DEFENSE BRIEFS, MOTIONS, ORAL ARGUMENTS, TRIAL, (IF TRANSCRIPTS EXIST FOR ORAL) ANY DEFENSE SUGGESTING IMMUNITY PER SE, INCLUDING EITHER QUALIFIED OR "ABSOLUTE" IMMUNITY. THIS IS TO INCLUDE DOCUMENTATION OF ALL POSITED OR ATTEMPTED DEFENSES OR SUGGESTIONS OF SUCH "IMMUNITY" BY DEFENDANTS AND THEIR REPRESENTATION, WHETHER DEFENDANTS PREVAILED ULTIMATELY OR NOT AS DEFENDANTS.. (A BRIEF LINE ACCOMPANYING EACH INSTANCE/DOCUMENTATION SAYING WHETHER DEFENDANTS PREVAILED OR NOT IN THE ACTION--NO NEED FOR REASON, OR WHETHER CASE IS STILL PENDING--IS ALSO COMMANDED.)

You may have to avail yourselves of court records, records of claims administrators, past briefs, state and federal court files, your own personal knowledge of briefs, recollections by judges, defendants, plaintiffs and prosecutors, existing affidavits and declarations, archives, other.

Depending on the data sought, as above, plaintiff intends to introduce to the court new issues to be decided, and may ask to set some needed precedent to curb serial violations which are deemed likely to be revealed in the data sought--some of which revelation may be based, in part, upon the laws of probability--it depends on the viewed data. Plaintiff may ask that new precedent be established setting stringent curbs on violations BY government, at any level, by any personnel, where the government may gain serious strikes against itself for ostensible serial usages of "immunity" defenses, in part to be determined by the record of such as the data sought here. Depending on the data, deductions, view and conclusions, there may be motion

for precedent to completely rid and strike present criteria involving so called "custom and policy" evaluations in suits against, generally, government, its personnel and levels. Plaintiff may then further move that he has shown that all present "immunities," or, then, the duplicity in "having to establish custom and policy," when the data on past immunity proclamations is hid from a claimant in his suit against government, equates to a government out of control by the people, deliberately deceptive, and, in its present form is nothing more than a Stalinist regime feeding unwitting citizens to a handful-in-governments, and their "right" to serially violate them. Such an arrangement can come to nothing else in a very short time. In other words, with steaks in their mouths, the government then further weakens, degrades, robs, reviles and derides, with eventual deep psychotic-inducing impunity, its unprotected, unwitting own citizens and people, and by fully shamming any so called right to redress against a Stalinist proposition which states its "immunity," which also hides the number of times it has done that, asking you, "where is the 'custom and policy' proof?"--in some particular suit. The proof the government should be struck down at all times for any so called right to such defense, is likely fully revealed merely in the number of times they've invoked immunity, and plaintiff will ask some precedent to undo much or all of present "immunity arrangements" before a revolution, as our forefathers sought against with-impunity powers, becomes necessary. They clearly intended that "a with-impunity or immune power" abrogates all that is supposed to be equal under constitutional law, since all in government, and elsewhere, *are but men*. Why should *certain of these men* EVER be allowed immunity, where is positing a question of a crime or tort? You must have given it to all men...or none, or face a revolution.

Future legislative and judicial concerns on this may include:

Also, whatever the ruling on this issue, should any insufferable claims for immunity by government, etc., be allowed to continue, minimally a database, future databases should be set up, forward compilations mandated, showing such information as to number of times government defendants have and are "invoking immunity"--to discernibly help understand, and make available this information to the public's attention, as to when and how often government has, and is pretending immunity in such outrageous assaults and pretenses of

"credible correct defense" against their citizens' rights to redress-- should a citizen see a need to seek redress against wrongful conduct by persons in positions of authority, etc. Bluntly, it could become obvious, this little scheme and "right," when found in continuous, startling and repetitive numbers, comes to "a long train of abuses and usurpations..."--Declaration of Independence--hands down.

Depending on the data, the u.s. courts and government may simply be viewable as a boneyard being made by U.S. Satan. Those citizens whom he accuses on the one hand; then, on the other whom he would "defend from" by this insane "right of immunity"--the citizens are quite simply and ostensibly being made the very fact of the bones in it.



Exhibit B

1 Let me back up a little and try to explain why: The first case for speech
2 they arrested me for—this is a differerent case now—arrest was April 8,
3 2004, for posting at a kind of a little Crescent City, local-oriented and
4 setup web site—alleging I threatened the police chief. It was a kind of a
5 hyperbolic, wild-in-the-ass statement, after which I was dragged....

6 Let me stop for a minute and explain...that computers were still very new
7 to people at that time (Apr. 2004). I embraced my first computer in 1999.
8 It's been kind of 24/7, me and computers, even to now. I have had no
9 "job" since then, and could spend all my time to see what the net (and
10 computers) were about.

11 Those guys, defendants, had their jobs, and they don't know beans about
12 computers by that time. They see this posting on the net—and
13 additionally, you know, there's dirty dozens out there that can't type, and
14 they're jealous. But they can read somewhat, and when they see
15 something, they can go out and shoot. "That's what we do for a living
16 {defendants, cops}; we shoot."

17 A horde of them came out April 8, 2004 for this posting on the net—livid
18 that they couldn't type—I mean, over what I said. The posting had a great
19 big emoticon, smiling smiley, that even up here in 2007, in the civil get-
20 back case now, their "brilliant" county counsel, down in Eureka, "the big
21 city," in a very recent brief of his, upfront, called the emoticon, a smiling
22 smiley with sunglasses, "sinister."

23 But net culture has decisively heralded the emoticon of a smiling smiley
24 with sunglasses for the last 15 years, you know.... And this whole advent
25 of the masses, each owning their own computer—the emoticon has
26 nothing to do with "sinister," it's all defined "cool," or "sunny."

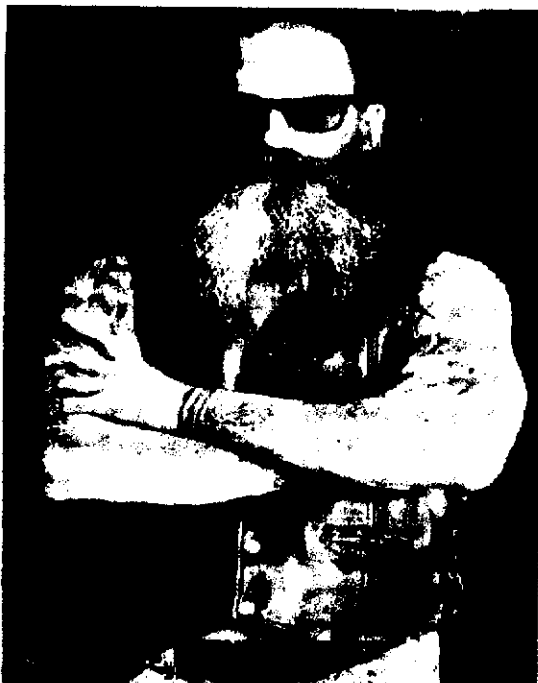
27 In emoticons, if you ever see one, wherever you run across one on a site,
28 use your mouse; more often than not it'll have a little phrase that
describes what this emoticon *means*, so you can convey your friggin'
emotion to somebody out there.

1
2 In fact, you even go to the site where I posted
3 (www.crescentcity95531.com click on forums or boards etc.), and hover
4 your mouse over—or click on the panel pertaining to emoticons, the very
5 same emoticon I used to punctuate my hyperbolic statement that they
6 were all pushed out of shape about—the little smiling smiley with
7 sunglasses—they spell it "coool," with 3 o's, same in 2007 as it was in
8 2004. Just recently, Vrieze (county counsel), didn't have any brains, didn't
9 YET have the computer-savvy wherewithall to look or know about the
10 very emoticon I used being defined at the site—getta outa here; you
11 telling me this kind of scum "knew about what I had posted on the big
12 bad net?"--you know, they do their jobs, they can't know, (but refuse to
13 admit it and will shoot you in their manifest insufferable force-imposing
14 ignorance). When they retire 20 years from now, they'll know they killed
15 Gimbel over something they were ignorant about, right? But the way they
16 sit now, you know—and they've got the state's Armada and the munitions
17 (and their ignorance), and then Gimbel pays. Might makes right; even
18 when it's wrong. This is the exact sample we're fighting here today, and
19 we're going to win, folks. So I digress a little bit...but it serves to show
20 the magnitude of ignorance and chaos to do with computers, just how
21 severe, and just how long term, too.

22
23 I knew it was protected—I absolutely—there was just no question in my
24 mind—I finally reasoned, you know, why they were so stupid—it's
25 because they were mystified by all this computer revolution, obviously,
26 and they didn't know beans, and they still won't for—they'll be staggered
27 come along's—8 years from now, someone in his retirement will say,
28 "Oh, God, did we do that to Gimbel, for all this stuff I'm seeing out here?
We are criminals!"—right? Maybe 20 years from now another one'll pop
up and say, "Oh God, we did that to Gimbel back there? For all this stuff
I'm seeing out here on the computer now that I'm retired and spend some
time with it?—and finally leaned to type?" (No, that last one...if they
ever do that....)

1 But now we suffer; you know, I suffer. Only I for them, you know.
2 They're the defendants; I'm the claimant....
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Exhibit B-1



I don't know much about computers, but one day the old lady tells me hers just died. I takes it to **BAY COMPUTERS**, 'cause some of the old lady's friends said they are a bunch of straight up guys.

This cool guy STUMP takes one look at it, looks at me, and tells me "half my memory is gone, I probably got a virus and my motherboard is bad."

Well being the kinda man I am, being insulted and all, I pop him around a few times, until this big guy named Dan comes out the back, and, well, him being kinda big, I calm down, while he explains that, no, this cool guy STUMP didn't tell me I lost half my mind, was sick, and something bad about my mother, but that this was computer lingo, and in a few hours they could fix my computer right up.

Well, I get the ol' lady's computer back later that day, and sure enough, they fixed it right up, and she's happier than a Harley after a poker run, and since she's happy, I'm happy, and, well, sorry about that shiner, STUMP.

And, by the way, **BAY COMPUTERS** gives away free classes on Saturday mornings, so uneducated guys

like me can get computer educated, so there's no misunderstandings, and no one gets hurt.

Oh, and I almost forgot. Take either coupon into **BAY COMPUTERS** for 10% off on any service hours on your 'ol lady's computer or 50% clams off on a new one. If you don't need the work right now or don't have one, cut out the coupons, and tape it to your computer or to the fridge.

But either way, remember when you take it in, tell 'em "Tiny" sent ya, and watch 'em flinch!!!

J.T. "Tiny" LISTER
Grants Pass, OR

10% off service hourly charge coupon

Good for the rest of 1999

BAY COMPUTERS INC.

"the" computer store

Brookings:

855A Railroad Ave

In the Ocean West Mall 541.412.8888

Crescent City:

1329 Northcrest Drive

In the Old Town Mall 707.465.4888

One coupon per customer
Cannot be used with any other offer

\$50 off any new computer coupon

Good for the rest of 1999

BAY COMPUTERS INC.

"the" computer store

Brookings:

855A Railroad Ave

In the Ocean West Mall 541.412.8888

Crescent City:

1329 Northcrest Drive

In the Old Town Mall 707.465.4888

One coupon per customer
Cannot be used with any other offer

Exhibit C

PIGGLY WIGGLY

from Sing it! Say it! Stamp it! Sway it! Vol. 1, #SI41CD

www.peterandellen.com

☐ mp3 sample!

This little piggy went to market

This little piggy stayed home

This little piggy had roast beef

This little piggy had none

And this little piggy went wee wee wee wee

All the way home.

And this little piggy went oink, oink

And this little piggy went piggly wiggly

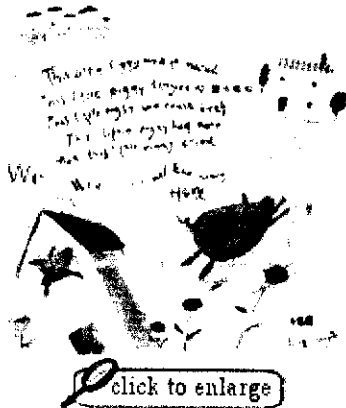
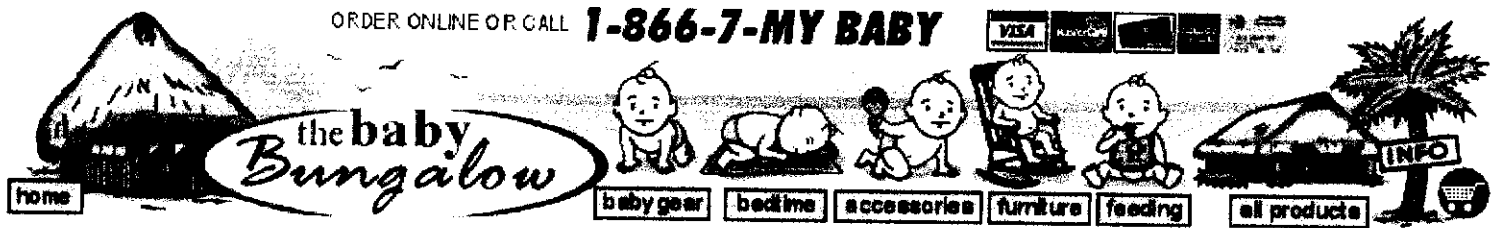
This little piggy went oink, oink

And this little piggy went piggly wiggly

This little piggy went oink, oink

And this little piggy went piggly wiggly

All the way home.

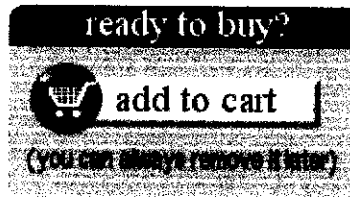


Goodnite Moon – This Little Piggy

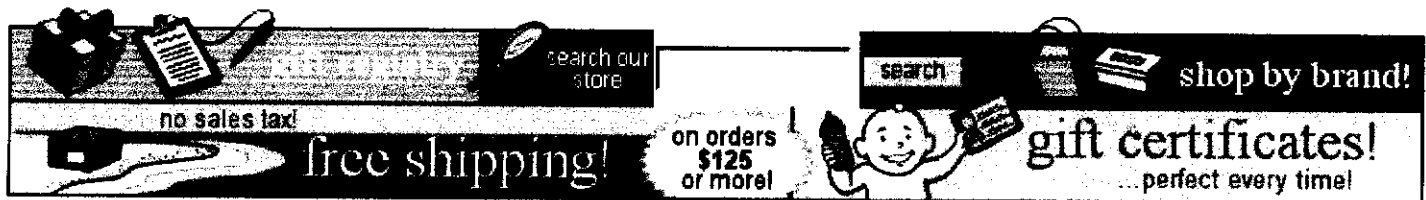
Item # : gdntmnlittlepiggy

\$129.00

Availability: Usually ships the same business day.



This adorable canvas reproduction is indistinguishable from the originals. It is stretched on high quality canvas and measures 18x18. It is sure to delight every child.



[Baby Jogger](#) | [Arm's Reach Co-Sleepers](#) | [Crib Bedding](#) | [Snuggle Nest](#) | [Baby Blankets](#) | [Cloub B](#)
[Playgro](#) | [Baby Audio Soothers](#) | [Baby Bjorn Products](#) | [Changing Tables](#) | [Juvenile Furniture](#)
[Ameda Accessories](#) | [Avent](#) | [Dr. Brown](#) | [Fleurville](#) | [Nuby](#) | [Whisper Wear](#) | [Breast Pumps](#)
[Breastmilk Storage](#) | [Breastfeeding Accessories](#) | [Breastfeeding Books](#) | [Leachco](#) | [Nursing Pillows](#)
[Bassinet](#) | [Diaper Bags](#) | [Maya Wrap Slings](#) | [Infant Carriers](#) | [Travel Beds](#) | [Intimate Apparel](#)
[Step Stools](#) | [Feeding Accessories](#) | [Royal Doulton](#) | [Backpacks](#) | [Baby Gifts](#) | [Kiddopotamus](#)
[Phil & Ted's](#) | [InStep Bike Trailers](#) | [Schwinn Bike Trailers](#) | [MacLaren Strollers](#) | [Dreamer Design Strollers](#)
[Sasha's](#) | [InStep Strollers](#) | [Tike Tech Strollers](#) | [Bertini Strollers](#) | [Schwinn Strollers](#)
[Breast Care](#) | [Double Jogging Strollers](#) | [Baby Toys](#) | [Diapering](#) | [Bouncers](#) | [Stokke Kinderzeat](#)
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BRITAX CARSEATS | [Precious Moments](#) | [Kool Stop](#) | [Domaro Carriers](#) | [Childrens Rugs](#) | [Munchkin](#)
[Jack Rabbit Creations](#) | [Luv n' Care](#) | [Plush Rockers](#) | [Baby Brella](#) | [Mommy's Helper](#) | [McKenzie Kids](#)

**PROOF OF SERVICE BY MAIL, PERSONAL DELIVERY,
OVERNIGHT MAIL, OR FACSIMILE TRANSMISSION**

I am a citizen of the United States and a resident of Del Norte County; I am over the age of eighteen (18) years; my address is 1533 Oregon St., Crescent City, CA 95531.

On August 22, 2007 I served the documents within, described as **PLAINTIFF'S COMBINED OPPOSITIONS TO COUNTY DEFENDANTS' AMENDED MOTION TO DISMISS AND TO CITY DEFENDANTS' MOTION TO DISMISS: AMENDED COMPLAINT**, to the interested parties in said action:

_____ By overnight FedEx.

 X By following the ordinary business practice, placing on that date at my place of business, a true copy thereof enclosed in a sealed envelope(s) with postage thereon fully prepaid, for collection and mailing with the United States Postal Service at Crescent City, California, where it would be deposited with the United States Postal Service that same day in the ordinary course of business addressed as follows:

Attny John Vrieze
(for Del Norte sheriff dept. and dist. att.)
814 Seventh St.
Eureka, CA
95502

Calif. Att. Gen. (Troy Overton)
455 Golden Gate Ave. Suite 11000
San Francisco, CA
94102-7004

Attny Randy Harr
(for Crescent City police dept. (& agents of city))
1415 Court St.
Redding, CA
96001

((Ronald V. Dellums Federal Building
Suite 400S
1301 Clay Street
Oakland, CA 94612-5217))

_____ By personally delivering a copy of said document(s) on the party(ies) named below at the following address(es):

_____ By following the ordinary business practice, placing on that date at my place of business, the above documents for deposit that same day in a box or other facility regularly maintained by Federal Express, in an envelope or package designated by Federal Express, with delivery fees paid or provided for as follows:

_____ By transmitting by facsimile machine, telephone number 707 464 5908, to the party(ies) named below at the facsimile machine telephone number listed below. The facsimile machine I used complied with California Rules of Court, rule 2003, and no error was reported by the machine. Pursuant to California Rules of Court, rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

Name: _____
Name: _____

Facsimile No: _____
Facsimile No: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this day of August 22, 2007 at Crescent City, California.


Donn Ervin